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COMBINED DECLARATION AND POWER OF ATTORNEY

(ORIGINAL, DESIGN, NATIONAL STAGE OF PCT, SUPPLEMENTAL, DIVISIONAL,
CONTINUATION, OR C-I-P)

As below named inventors, we hereby declare that:

TYPE OF DECLARATION

This declaration is for an original application.

INVENTORSHIP IDENTIFICATION

Our residences, post office addresses and citizenship are as stated below, next to our names. We believe that we are the original, first and joint inventors of the subject matter that is claimed, and for which a patent is sought, on the invention entitled:

**APPARATUS AND METHOD FOR ELONGATION OF A
PAPILLARY MUSCLE**

International Application Number **PCT/US04/30083**
International Filing Date of **09/15/2004**

ACKNOWLEDGMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR

We hereby state that we have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

We acknowledge the duty to disclose information, which is material to patentability as defined in 37, Code of Federal Regulations, Section 1.56, and which is material to the examination of this application, namely, information where there is a substantial likelihood that a reasonable Examiner would consider it important in deciding whether to allow the application to issue as a patent, and in compliance with this duty, there is attached an information disclosure statement, in accordance with 37 C.F.R. Section 1.98.

POWER OF ATTORNEY

We hereby appoint the following practitioner(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

APPOINTED PRACTITIONER(S)

Alan M. Krubiner
Janis J. Biksa
Michael J. Jaro
Catherine C. Maresh
James F. Crittenden
William L. Haynes

REGISTRATION NUMBER(S)

29,289
33,648
34,472
35,268
39,560
48,151

(6)

DIRECT ALL CORRESPONDENCE TO CUSTOMER NUMBER:

28390

Medtronic Vascular, Inc.
IP Legal Dept.
3576 Unocal Place
Santa Rosa, CA 95403

DIRECT TELEPHONE CALLS TO:

William L. Haynes
978-739-3250 (EDT)

DECLARATION

We further declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

1-00

Full Name of First Inventor:

Eliot Bloom

Inventor's signature:

Eliot Bloom

Date:

JAN 4 2006

Residence Address:

601 Putney Hill Road

Hopkinton, New Hampshire 03229

NH

Post Office Address:

same

Country of Citizenship

U.S.A.

2-00

Full Name of Second Inventor:

Nasser Rafiee

Inventor's signature:

Nasser Rafiee

Date:

Jan 4 2006

Residence Address:

39 Abbott Street

Andover, Massachusetts 01845

MA

Post Office Address:

same

Country of Citizenship

U.S.A.

3-00

Full Name of Third Inventor:

Nareak Douk

Inventor's signature:

Nareak Douk

Date:

01-04-2006

Residence Address:

905 Lakeview Avenue

Lowell, Massachusetts, 01850

MA

Post Office Address:

same

Country of Citizenship

U.S.A.